

REMARKS

Status Of Claims:

Claims 3-4, 7-8, and 11-12 remain cancelled. Claims 1-2, 5-6, 9-10, and 13-15 are cancelled without prejudice or disclaimer. New claims 16-33 are added.

Thus, claims 16-33 are pending in the application. A detailed listing of all claims that are in the application, is presented, with appropriately defined status identifiers.

Claim Rejections:

Claims 1-2, 5-6, 9-10, and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (U.S. Patent No. 5,987,424) in view of Kenney (U.S. Patent No. 5,515,424). In the rejection, the Examiner provided U.S. Patent No. 5,514,424 for the Kenney reference, but Applicant believes that the Kenney reference is actually U.S. Patent No. 5,515,424.

Claims 1-2, 5-6, 9-10, and 13-15 have been cancelled without prejudice or disclaimer and, thus, the rejection is moot.

New Claims:

New independent claim 16 recites a method in a terminal management device, the method comprising:

“receiving a registration request from a portable communication terminal indicating that the portable communication terminal will automatically display received advertisements on a screen of the portable communication terminal, said registration request specifying a selected advertisement broadcaster from among a plurality of advertisement broadcasters;

registering terminal information identifying the portable communication terminal in a memory in correspondence with broadcast device information identifying an advertisement broadcast device associated with the selected advertisement broadcaster;

receiving advertisement data from the advertisement broadcast device at an arbitrary time after said registering, said arbitrary time independent of actions of the terminal management device;

determining, upon receiving the advertisement data from the advertisement broadcast device, one or more portable communication terminals to which the advertisement data is to be transmitted based on information registered in said memory; and

transmitting the advertisement data to the one or more portable communication terminals.” (Emphasis Added).

Neither Nakamura nor Kenney, alone or in combination, discloses or suggests a method in a terminal management device including the above-quoted features. The Office Action points to the exchange 4 of Nakamura as disclosing a terminal management device. (Office Action; page 2). The Office Action points to items 5, 6, 7, 8, and 9 of Nakamura as disclosing an advertisement broadcast device. (Office Action; page 3). However, the exchange 4 of Nakamura does **not** receive advertisement data from any of the items 5, 6, 7, 8, or 9 at an arbitrary time after registering information in a memory where the arbitrary time is independent of actions of the exchange 4.

In order for one of the items 5, 6, 7, 8, or 9 in the system of Nakamura to transmit data to a telephone set 1, the exchange 4 must contact the item and connect the item to the telephone set 1 to establish a communication state between the item and the telephone set 1. (Nakamura; FIG. 2; col. 25, lines 10-15). Thus, the exchange 4 in Nakamura does not receive advertisement data from any of the items 5, 6, 7, 8, or 9 at an arbitrary time that is independent of actions of the exchange 4 after registering information in a memory. Indeed, the communication of data from any of the items 5, 6, 7, 8, and 9 in the system of Nakamura is completely dependent on the actions of the exchange 4 in placing the items into a communication state with a telephone set. (Nakamura; FIGS. 3 and 22, step 1308).

The Kenney reference does not address the above-noted distinctions between the present claim 16 and the Nakamura reference, because Kenney similarly neither discloses nor suggests a terminal management device that receives advertisement data from an

advertisement broadcast device at an arbitrary time after registering terminal information in a memory in correspondence with broadcast device information, where the arbitrary time is independent of actions of the terminal management device. The Office Action points to the portion of Kenney that states the following:

“the monitor 18 would display informational screens for a period of 8-10 seconds each when the **phone** is not in use. These still images are stored in a memory module 38, which could be a disk drive, in the **phone**. In some cases, the data could be downloaded from a central administration point.”
(Kenney; col. 4, lines 27-32) (Emphasis Added).

However, the above-quoted portion of Kenney merely mentions that data could be downloaded from a central administration point to a **phone**. (Kenney; col. 4, lines 27-32). The **phone** of Kenney cannot be considered as a **terminal management device** of the present claim 16. Moreover, the **phone** of Kenney would not correspond to the **exchange 4** of Nakamura, but rather to the **telephone set** 1 of Nakamura. Thus, even if the system of Kenney were combined with the system of Nakamura, the **exchange 4** of Nakamura would still **not** receive advertisement data from any of the items 5, 6, 7, 8, or 9 at **an arbitrary time** after registering information in a memory where the arbitrary time is independent of actions of the exchange 4, because the teaching of downloading data to a **phone** of Kenney would not have any effect on the **exchange 4** of Nakamura since the phone of Kenney does not correspond to the **exchange 4** of Nakamura but rather to the **telephone set** 1.

Therefore, new independent claim 16 is neither disclosed nor suggested by the Nakamura and Kenney references, alone or in combination, and, hence, is believed to be allowable. New claims 17-33 also recite features that are neither disclosed nor suggested by the Nakamura and Kenney references.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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